

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2806 - SB 2716

February 21, 2022

SUMMARY OF BILL: Creates the Tennessee Witness Protection and Relocation Grant Pilot Program. The Department of Finance and Administration's (F&A) Office of Criminal Justice Programs shall administer this Program. The Office is required to award grants from the Program on a competitive basis to municipalities, law enforcement agencies, and nonprofit organizations that provide witness protection, relocation, and assistance services. Specifies how such grant monies may be used.

Requires the Office to issue appropriate guidelines and to promulgate rules. Such guidelines must include a process by which municipalities, law enforcement agencies, and nonprofit organizations may apply for such grant monies.

Authorizes the Office to solicit and receive grants, donations, and private funding.

Requires that any unspent funds at the end of the fiscal year carryover to subsequent fiscal years, indefinitely.

FISCAL IMPACT:

**Increase State Expenditures - \$612,200/FY22-23
\$604,700/FY23-24**

Increase Local Revenue - \$300,000/FY22-23 and Subsequent Years/Permissive

**Increase Local Expenditures - \$300,000/FY22-23 and Subsequent Years/
Permissive**

Other Fiscal Impact – Solicitation by the Office of the Criminal Justice Program may aid in funding the grants awarded by the Office to various recipients; however, any amount of funds received for such purpose, if any, cannot be determined with any reasonable certainty.

Assumptions:

- Based on information from the F&A, the Department does not currently possess the expertise to run this program and would require additional positions to adequately administer it.

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- The Department will need two additional planning analyst positions and one auditor position.
- For administrative and budgetary purposes, this legislation takes effect July 1, 2022. For all other purposes, this legislation takes effect January 1, 2023.
- It is assumed that such new positions will be filled on July 1, 2022 in order for training and establishment of this new Program.
- Based on information provided by F&A, there would be a recurring increase in state expenditures associated with such positions of \$204,712 (\$157,500 salaries + \$40,012 benefits + \$7,200 technology) and one-time expenditures of \$7,500 (\$3,000 computer + \$4,500 training).
- An increase in state expenditures in FY22-23 of \$212,212 (\$204,712 + \$7,500).
- A recurring increase in state expenditures in FY23-24 and subsequent years of \$204,712.
- Based on information from the U.S. Marshals Service, the Office has had approximately 19,000 participants in the Witness Protection Program since 1970, or in a span of 52 years.
- An average yearly number of participants of 365 (19,000 participants / 52 years).
- Based on information from the 2020 U.S. Census, the United States had a population of 331,449,281 and Tennessee had a population of 6,910,840.
- Tennessee accounts for approximately 2.09 percent of the total U.S. population.
- Tennessee is expected to have 8 annual participants of its witness protection program in any given year (65 x 2.09%).
- The annual grant per participant is estimated to be \$50,000.
- A recurring increase in state expenditures in FY22-23 of \$400,000 (8 participants x \$50,000). A total increase in state expenditures in FY22-23 of \$612,212 (\$212,212 + \$400,000).
- A recurring increase in state expenditures in FY23-24 and subsequent years of \$604,712 (\$204,712 + \$400,000).
- The number of grants provided to local governments, as opposed to nonprofits or other nongovernmental entities is unknown, but it is assumed that approximately 75 percent of grants will be provided to local governments, or a total of 6 grants per year (8 total grants x 75%)
- A recurring increase in local government revenue in FY22-23 and subsequent years of \$300,000 (6 grants x \$50,000).
- Local governments will spend the entirety of grant funds for the purposes outlined by the witness protection program.
- A permissive recurring increase in local expenditures in FY22-23 and subsequent years of \$300,000.
- Solicitation by the Office of the Criminal Justice Program will help aid in funding the grants awarded by the Office to various recipients.
- Any increase in local expenditures for law enforcement agencies or municipalities to apply for grants offered through this Program is estimated to be not significant.
- Any amount of funds received for such purposes cannot be estimated with reasonable certainty.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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